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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,918	01/09/2002	Michael E. Carroll	LOT920010026US1	3074

7590 08/29/2005  
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314 Main Street  
Owego, NY 13827-1616

EXAMINER
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PITARO, RYAN F

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 08/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/045,918

Applicant(s)

CARROLL, MICHAEL E.

Examiner

Ryan F. Pitaro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2 and 4-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-31 have been examined.

### ***Response to Amendment***

2. This communication is in response to Amendment A filed 5/31/2005. Claims 1-2,4-31 are pending. Claims 1-2,4-31 have been amended. Claim 3 has been cancelled. This action is Final.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,4,6,11,12,14,16,21,22,24,26,31 are rejected under 35 U.S.C. 102(b) as being anticipated by Celebiler ("Celebiler", US 6,165,094).

As per independent claim 1, Celebiler discloses a method for displaying in a computer user interface information to a browser user user, comprising the steps of: displaying in said interface a frame border including a plurality of sides, each said side selectable for presentation of textual and graphical data, said textual and graphical data

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selectively displaying to said user information identifying said border as a frame border which can be positioned, sized, and opened by said user selectively clicking on and dragging said border (Column 2 lines 12-41); and selectively incorporating textual and graphical data within any of said sides of said frame border selectively identifying which of adjacent frames responds to user selection of said frame border selectively to open and close said frame (Column 2 lines 12-41) .

As per claim 2, which is dependent on claim 1, Celebiler discloses a method wherein said textual and graphical data displaying to said user at said browser information with respect to the content of said border (Column 4 lines 34-57).

As per claim 4, which is dependent on claim 2, Celebiler discloses a method wherein said data provides a hotspot for selection by said user to open said frame (Column 3 lines 42-58).

As per claim 6, which is dependent on claim 3, Celebiler discloses a method further comprising the step responsive to said user clicking on said border of bringing said frame to the forefront (inherent that a frame click will bring that frame to a forefront).

Claims 11<sup>a1</sup> and 31 are individually similar in scope to that of Claim 1, and are therefore rejected under similar rationale. 52

Claims 12 and 22 are individually similar in scope to that of Claim 2, and are therefore rejected under similar rationale.

Claims 14 and 24 are individually similar in scope to that of Claim 4, and are therefore rejected under similar rationale.

Claims 16 and 26 are individually similar in scope to that of Claim 6, and are therefore rejected under similar rationale.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7,8,10,17,18,20,27,28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Celebiler ("Celebiler", US 6,165,094) in view of Bruce ("Bruce", Sams Teach Yourself Macromedia Dreamweaver 3, in 24 Hours).

As per claim 7, which is dependent on claim 1, Celebiler fails to distinctly point out the properties at the time of development. However, Bruce teaches a method providing to a user at design time a frame properties information box for user definition of frame content (Page 3 Figure 2.3). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Celebiler with the current teaching of Bruce. Motivation to do so would have been to allow the user to specify certain attributes at the development stages.

As per claim 8, which is dependent on claim 7, Celebiler -Bruce discloses a method further comprising providing in said frame properties information box for user selection of caption formula and/or text (Page 1 Figure 2.1), show parameters (Page3


Figure 2.3; *margin settings*), caption alignment (Page 1 figure 2.1, *Align left*), font (Page 1 Figure 2.1), size (Page 1 Figure 2.1), style (Page 3 Figure 2.3), text color (Page 3 Figure 2.3), and background color (Page 3 Figure 2.3).

As per claim 10, which is dependent on claim 1, Celebiler fails to distinctly point out disabling border captioning. However, Bruce teaches a method responsive to creation of a web enabled frame border, disabling border captioning (Page 14 lines 9-11). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Celebiler with the current teaching of Bruce. Motivation to do so would have been to allow the user to simplify the page by eliminating screen clutter.

Claims 17 and 27 are individually similar in scope to that of Claim 7, and are therefore rejected under similar rationale.

Claims 18 and 28 are individually similar in scope to that of Claim 8, and are therefore rejected under similar rationale.

Claims 20 and 30 are individually similar in scope to that of Claim 10, and are therefore rejected under similar rationale.

3. Claims 9, 19<sup>15,25</sup> and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over unpatentable over Celebiler ("Celebiler", US 6,165,094) in view of Bruce ("Bruce", Sams Teach Yourself Macromedia Dreamweaver 3, in 24 Hours) in further view of Angiulo et al ("Angiulo", US 2002/0135621). 

A per claim 9, which is dependent on claim 7, Celebiler -Bruce fails to distinctly point out an edit box for caption text. However, Angiulo teaches displaying to said user

a caption edit box for entry of caption text (Figure 3 item 138). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Celebiler -Bruce with the current teaching of Angiulo. Motivation to do so would have been to provide a way for the user to change the caption to further reflect the contents of the frame border.

Claims 19 and 29 are individually similar in scope to that of Claim 9, and are therefore rejected under similar rationale.

Claims 15 and 25 are individually similar in scope to that of Claim 5, and are therefore rejected under similar rationale.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Celebiler ("Celebiler", US 6,165,094).

As per claim 5, which is dependent on claim 4, Celebiler fails to disclose a method wherein said hotspot further being selectable by said user to launch an application within said frame. However, Official Notice is taken that clicking on hotspot to launch applications in a frame is well known in the art. A browser is a prime example of clicking on a hotspot or a link and launching a particular page within the frame. Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching with the method of Celebiler. Motivation to do so would have been to keep the user's attention in one spot instead of adding another application, which would clutter the screen.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-2,4-31 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.




Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Monday through Thursday and on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro  
Art Unit 2174  
Patent Examiner

RFP

  
SYD D. LUU  
PRIMARY EXAMINER